OFFICIAL CORRUPTION.

Trial of Joseph E. Ebling, Commissioner of Streets and Lamps, for Bribery. COURT OF GENERAL SESSIONS. Before Judge Capron.

The court was crowded at its opening yesterday morning by parties interested in the trial of Joseph E. Ebling, Commissioner of Streets and Lamps charged with bribery. Upon opening the court the District Attorney said the prosecution rested their case. Mr. Brady then said he would not take up the time of the court with any formal opening on the part of the defence, but would proceed at

once to offer their testimony.

Mathew C. Fordham, examined for the defence-In 1855 I was Street Inspector of the Second ward; I became acquainted with the firm of Smith Sickles & Co. about the 10th of January; I did not have charge of the street sweeping machines; they were worked in my ward; in my judgment the were a total failure; I made a complaint about them to the Street Commissioner.

Q. Did Mr. Smith speak to you on the subject of

Mr. Hall-Don't answer that question, sir. We are here, may it please the Court, to try the issue of bribery between Mr. Ebling and Mr. Smith and not between Mr. Smith and Mr. Fordham. This question was asked Smith yesterday, and he said he did not make any offer to bribe this witness

Mr. Brady-I claim, sir, that I have a right to ask this question, and am entitled to an answer. This is done to test the credibility of the witness Smith. The reluctance manifested yesterday by Smith in giving his evidence, was a mere piece of hypocricy, and I wish to prove that he in reality is actuated by a mere feeling of revenge against Mr. Ebling in this prosecution. I am anxious to test that question of \$500 being offered to this witness (Mr. Smith) for favorable reports in regard to his machines. Smith was not the unwilling witness he appeared to be, and I want the jury to understand this most distinctly. If it should turn out that this Smith came in an artful manner with a lot of street sweeping machines, which he knew would not answer, and endeavored to get the authority and patronage of a head of a public department in their favor, and when that officer objected to these machines as being useless, he turned round and accused that officer of corruption, and an attempt to procure a bribe, they would probably get at the exact worth of Mr. Smith's evidence.

Mr. Hall replied to Mr. Brady, in opposition to the amissibility of the question.

Mr. Hall was sustained by the Court, and the question overruled.

The examination was then continued by Mr. Brady.

Witness—I had a conversation with Mr. Smith. this question, and am entitled to an answer. This

Brady.
Witness—I had a conversation with Mr. Smith, which I reported to Messrs. Ebling and Mott; the street sweeping machines were in operation nearly every night; the streets were cleaned in the day time by hand labor, and they ran the machines every night; the streets were cleaned in the day time by hand labor, and they ran the machines around by night, to keep up a show of work; I was present at the trial of the machines; Mr. Mott and Mr. Ebling were also present: Mr. Ebling pro-nounced them a failure; he did so in my hearing; he called them humbugs; I considered them so myself.

myself.

Mr. Hall—May it please your honor, I must object to the examination of this witness upon the value of these machines, this all merely being collateral to the inner harfage the inner.

these machines, this all merely being collateral to the issue before the jury.

Mr. Brady—May it please the Court, I do not wish to take up the time of the Court when it can be spared, and will therefore waive this question. I will put another.

Q. Did Mr. Ebling ever again authorize the employment of the machines?

Witness—No. sir; but after the agreement was made with the Mayor and Comptroller the machines were allowed a further trial.

Cross-examined by Mr. Hall—I did not throw any obstacle in the way of employing the machines; i said they were humbugs from the first day they were need, but I never said so before they were put upon trial. Joseph Sonder called, and examined by Mr. Bus

Joseph Sonder called, and examined by Mr. Dus-teed for the defence—I am Street Inspector of the Sixth ward; I am acquainted with Smith, Sickles & Co.: I first saw Mr. Smith in Park row in March, 1855, on a trial of the street sweeping machines; Mr.

Ebling was present.
Q. What was the result of the trial of the machines? Mr. Hall-Oh, I must object again to this ques-

Judge Capron—I confess I am unable to see the relevancy of any of this evidence. It did not matter in this trial whether the machines worked well

Q. Did you have any communication with Mr. Smith in the month of March relative to the working of the machines?

Mr. Hall—This question is like one already passed upon by the Court; I object again to this question.

The Court ruled against the question.

Mr. Busteed—Did Mr. Smith ever make you an offer of \$2 per day over and above what you were receiving, if you would report favorably to Mr. Ebling about the machines?

Objected to by the District Attorney. The Court sustained the objection.

Morgan L. Mott recalled—I first saw Mr. Smith in the lear part of December, 1854; I witnessed the first samination of the machines; Mr. Smith never called on Mr. Ebling and myself with the receipt; he called on me and had a conversation about the receipt; he proposed to sell it at one time; he called on Mr. Ebling at his office, and called me in; this was on the 17th of July; Mr. Smith then said he had lost a great deal of money by the machines—that his partners had turned him out, and that he must raise some money; he wanted to know what we would give for that paper; Mr. Ebling asked it was worth anything to me; I told him, not a cent; I did not see Smith in Ebling's office after that; he called on me after that, in the morning of the day, before he went before the Grand Jury; he said he had this paper about him, and it had better be got rid of; that the Mayor had sent for him, and he did not know what for; the next I saw of him was in the ante-room of the Grand Jury; I told Mr. Ebling Smith had called upon me and wanted to get rid of the paper; Ebling laughed, and said he did not care about it; I had known Ebling for ten or twelve years before that time.

Mr. Hall—Was any paper exhibited at the time of

ling for ten or twelve years before that time.

Mr. Hall—Was any paper exhibited at the time of offering it for sale?

Witness—The paper was not shown; there were

Witness—The paper was not shown; there were two papers given when the receipt was given; Mr. Ebling took one, and Smith. Sickles & Co. the other. Mr. Brady—What did Smith, Sickles & Co. the other. Mr. Brady—What did Smith, Sickles & Co. say they wanted this paper from Mr. Ebling for?

Witness—Smith said they wanted this receipt, or something, to show to those in Philadelphia wno furnished them the capital, that the authorities here were willing to back them if their machines worked; this was before any paper was signed; I wrote the receipt given to Smith; it was written without dictation, according to the request they should have something to show the capitalists in Philadelphia; this was the inly use this receipt was to be put to; if the machiness were not successful the whole matter was to drop; Mr. Sickles said he would clean the city for \$140,000; he said he could get a much larger amount, and all over this he said he should divide between Mr. Ebling and myself; I told Mr. Smith I thought the streets could not be cleaned for less than \$200,000.

Q. Did you expect to make anything out of that?

200,000.

Q. Did you expect to make anything out of that?

Mr. Hah.—I object to that question.

The Court ruled against the question, and Mr.

The Court rated against the question,
Q. Did Mr. Smith at any time offer you money?
A. He did; he called some time in April and wanted to pay Mr. Ebling and myself some seven or eight hundred dollars; I told him I would not receive a cent; he said he wanted to pay me \$150; my posiness before I went into this office was a livery stable

keeper.
Q. Did you know at the time of the agreement that the head of a department could not be interested in a contract by the provision of the city charter?
Mr. Hali—O, I object to this. It is a mere matter

of law.

Mr. Brady—What is a matter of law?

Mr. Hall—This is a question of law, and this witness can't tell whether Mr. Ebling knew the law or

ness can't tell whether Mr. Ebling knew the law or not.

Mr. Brady—Now, may it please the Court, I wan't to show that at the time of making that agreement, Mr. Ebling did not know the law upon this subject.

The Court ruled against the question, and Mr. Busteed asked the Court to note the exception of the defence.

Witness.—I was present at the interview between Mr. Ebling and Mr. Smith when the destruction of the papers was spoken of: Mr. Ebling said he would destroy his if they would destroy theirs; and as regards the contracts, they, Smith, Sickles & Co., might rest assured they would get the contract to clean the city if they were the lowest bidders.

Mr. Brady .- This, may it please the Court, ends

Mr. Brady.—This, may it please the Court, ends the case.

After a few minutes' intermission, the case was summed up for the defence first by Mr. Busteed.

His address was very short. He said the question had arisen in the evidence whether an ignorance of the law was any excuse. He contended that the motive had been from time immemorial to the present time the great question to be passed upon by a jury in a trial for violating a penal statute. If the District Attorney should fail to show, as a matter of fact, that the detendant knew he was engaged in a felonious transaction when he made this agreement, then this indictment fell to the ground. He should leave the summing up of the case upon the law to his colleague, Mr. Brady.

Mr. Brady then addressed the jury. He said he had introduced no testimony upon the character of the defendant, for the District Attorney had admitted good character, and as for himself, he believed him to be as pure and spotless in character as any officeholder anywhere now existing. He said this without any prejudice in favor of his client, because he had not been personally acquainted with the defendant for a very long time, and positically it was well known they were as far apart as the poles asunder, and there was no probability that the distance between them would be ever less-ened one hair's breadth. Mr. Brady then proceeded to read the statutes under which Mr. Ebling was indicted, and said that the office of Commissioner of Streets and Lamps was an office lafely created, and did not exist and was not contemplated in the statute under which he is indicted, when that statute was enacted. The indictment says that Mr. Ebling oraruptly, wilfully add feloniously accepted a bribe to award a contract, and he not being able, according to law, to award a contract, to contend that according to law, to award a contract, to contend that according to law, to award ac ontract, and the not being able, according to law, to award a contract, and the not being and the contract to get a man a situation

what he proposes to do. Greenleaf says, in his Treatise on Lvidence, that the evidence of an accomplice must be received with a great deal of caution by the jury, and the Court failing so to charge, is guilty of a breach of duty. After a lengthy review of the evidence Mr. Brady ended, and the Court took a recess for half an hour.

The jury having, at \$\frac{3}{2}\$ o'clock, all resumed their seats, Mr. Hall summed up the case for the prosecution, as follows:—

May it please your Honor—I have tried many cases with my learned friend on the other side, but never before have I known our views of the law to differ so widely as upon the present trial. The first point, upon which I trust your Honor will charge, is, that this is an offence at common law. (Mr. Hall then reterred to several authorities—Blackstone, Chitty and others—to sustain his point.) The next point raised by the other side is, that the defendant must be excused because of his ignorance of the law. (Again he reterred to Broom's Legal Maxims, Blackstone & Commentaries, and others, to sustain his position that ignorance of the law was no excuse.) I have cited these authorities, may it please your honor, to reconcile the difference be tween my learned friend and myself. Now let us review the facts of the case, and see if this indictment has been sustained. Now, it is argued upon the other side that their client is not sagacious, and, as it were, is the fly the blue bottle caught in this net spread by these cunning Philadelphia gentlemen. A man who can go through a political contest as this man has done, who can come up an independent caudidate, a third and fourth rate candidate, and still be elected, although he may be a knave, he is no fool. We find this man elected in November, 1854, to this responthough he may be a knave, he is no fool. We find this man elected in November, 1854, to this responsible office, which has the control of nearly half a million yearly, and up to the time of his election. I am willing to admit, was a man who stood well before the community. This man was a confectioner before the community. This man was a confectioner before he went into office, and it has occurred to me that this man should not leave the sweets of riviate life for the bitters of public life. Well, this confectioner was elected, and to him it was likedrawing a prize in a lottery. Immediately he was elected his friends crowded around him, and he began to think he was really somebody, and at once began to think how he should turn his prize to the best advantage: and, brooding over this, he naturally gave way to temptation, having been an apt scholar, and learned the mysteries and miseries, if you choose, of the City Hall. The devil popped in before him in the person of Mr. Smith, of Philadelphia, and the official fell down before him He had in his mind all the while the man who had made \$10,000 out of one contract and had not done anything wrong, and he thought he had now a fine chance of getting his prize, and he went in for it. Now, to follow up this matter, Mr. Ebling must have known he was violating the law when he entered into this contract. We have him going to the Smithsonian House, he going to the parties who were to treat with him he though he may be a knave, he is no fool. We find this man elected in November, 1854, to this responmatter, Mr. Ebling must have known he was violating the law when he entered into this contract.
We have him going to the Smithsonian House, he
going to the parties who were to treat with him, he
going to them against his interest, his physical welflare, as is asserted. Mahomet going to the mountain, instead of the mountain being brought to Mahomet, and there entering into a contract which has
been kept out of the way, and there binding
himself—I say binding himself, for that was the
word used—and do you tell me a man of Mr. Ebling's position does not understand the English language?—binding himself to obtain a contract for
Messrs. Smith, Sickles & Co to clean the streets.
No mention was made of street sweeping machines,
and for all we know, some other power was to be used
to effect this work. Here we have this man binding
himself personally and officially to obtain the contract for this man. Ask yourself how fairly this was
treating with the city. The charter made it obligatory on this man to keep all bids sealed and secret,
and open them in the presence of other officials, and
here we have this man in whom the city had reposed
the confidence of doing this work, bargaining off
this contract to Smith, in the Smithsonian House,
and afterwards advertising for bids for this work
after he had settled upon it and bargained it away;
and any of you gentlemen might have put in a bid
for this work and you would have been duped by
this transaction. Well, after this work is commenced,
Mr. Ebling finds that the thing won't work, so
he backs out. He finds that it leaks out among the
hundred of his supernumeraries who were to be displaced from office, and he fears exposure, and he he backs out. He finds that it leaks out among the hundred of his supernumeraries who were to be displaced from office, and he fears exposure, and he leels inclined to retrace his steps, and throws cold water upon these machines, and blocks their wheels and stops their work, so as to support this great hand army of street sweepers throughout the city to minister to his political purposes. Now what did this man do, if you please, when he found out that the law had been violated, if you please? Did he make any attempt to make amends? Not to the least extent. Did he go to the magistrate and complain of Smith, Sickles & Co. for attempt to bribe him? No attempt at exposure was made. "Oh," says Ebling to Smith, "that receipt from me don't state the terms of any contract; that paper is

"Oh," says Ebling to Smith, "that receipt from me don't state the terms of any contract; that paper is not worth anything. I am not afraid of that. Come on with it, and I will break down your evidence.' This was the way Ebling reasoned:—"Smith dare not come out against me. He is as deep in the matter as I am. I can break down his evidence, so let him come on with his paper. It don't amount to anything, and I have made away with the contract; and dead papers, like dead men, can tell no tales." Now, I ask you if this transaction will admit of any other construction than that Ebling knew it was oppressive to the citizens of New York, to his own conscience, and, he knew at the time, against the law, which he had sworn to fulfil and carry out. I trust you will have very little difficulty in testing this by your own common sense, without prejudice for or against the prisoner.

Mr. Brady then submitted to the Judge points of law upon which he requested he should charge the Mr. Brady included the should charge the jury. His points were banded to the Judge, who looked at them before delivering the following

CHARGE.

Gentlemen of the Jury—In saying to you what I intended to say I shall consider you as I have always done, the sole judges of the evidence; but I shall

not charge, as the counsel for the defence requests. that you are the sole jadges of the Lew.

Mr. Brady—The Court mistakes; I did not so request you to charge.

Judge Capron—Ah! then I am corrected. This crime upon which you are to pass is one of the most serious that a person can be charged with; but it is a crime which a high minded gentleman values next to his life, and sometimes above it. I make these remarks that you may know the consequences that will be visited upon the defendant, if you find him guilty of the charge, you will see the necessity of this, that you will find him guilty. He is a gentleman who has always held a good position in the community, and should not be struck down by light or trivial evidence. Your verdict should not admit of a reasonable doubt. The defendant is indicted under the statute declaring that any officer accepting any gift in consideration of his official influence shall be, upon conviction, disqualified from ever holding office, &c. (The Judge here read the law upon bribery.) Under the evidence in this case it will be for you to say whether the defendant on the 9th day of January, 1855, made a bargain to obtain a contract from the city, for which he was to receive a certain value in money, and if you are convinced he did make this contract, he is guilty of bribery, and you should so find. It is not for you to say how he should use his influence. If you believe he promised to use his influence, you need not inquire whether he was able to use it or not. You need not trouble your selves how he could use it. He is connected with the city government, and it is presumed that he knows how to could use it. He is connected with the city government, and it is presumed that he knows how to use the influence which he promises. I think it is out of the case how these contracts might be obtained or carried out. The only question for you is, did this defendant, contract or make a bargain that he would grant a certain favor officially for a certain sum of money? Now, upon another point I you find he is corroborated, and you believe it, the defendant is guilty. Smith says he came on here from Philadelphia; he saw the defendant; a contract was drawn up, a receipt was given, and the parties bound themselves to a certain agreement. Where is that contract? If this contract was not felonious, why has not the defence produced it? It was incumbent upon them to produce it, and they would have set the whole matter at rest. Yet the defence have not seen fit to produce this contract; and why they have not done so, is a question for you to determine. We have had Mr. Mott upon the stand, who is also an accomplice, and so far as his testimory goes, I cannot see that it conflicts with the testimony of Mr. Smith. Gentlemen, I am requested to charge you upon some points of law which have been handed me. I am requested to charge that unless the motive was corrupt, the act was not wilful and corrupt. Upon this point I charge that if the act was milawful, it was wilful and corrupt. The question then is, did he do the act? If he did, the act was wilful and corrupt, because it was a violation of law, and the law he is presumed to be acquainted with. I am asked again to charge you, that this act does not come within the bribery statute of 1:53. I charge that it comes within this statute. The law abhors bribery, and is very jealous of its officers: I cannot see the force of the idea that it is a natter to us as to how the defendant should use his influence. I cannot charge you, gentlemen, that it was necessary that the detendant should have accomplished an object to be guitty. I charge that the stipulation to accomplish the object makes on the charge of bribery; I am requested to charge again that the defendant cannot be convicted unles included the party in this case. If the act was illegal the intensipation that charge of bribery; have been at the time of making the contract. I am further requested to charge that Smith is an accomplice, and should be corroberated. I have already charged you upon this point, and charg

residering the consequences.

Mr. Brady—I wish to say to your Honor that there Mr. Brady—I wish to say to your Honor that there has been no paper proved to be in existence such as you have charged the defendant should produce; and again, I would say that Mr. Mott cannot corroborate Mr. Smith, he being an accomplice himself.

Mr. Busteed read a bill of exceptions to the charge of the Judge.

The jury then retired in the custody of an officer,

The jury then retired in the custody of an officer, to deliberate, at 6 o'clock in the evening.

At 8 o'clock the jury sent word to the Court that they could not agree, and asked to be discharged.

Judge Capron sent back the following reply, in writing:—

GENTENEN OF THE JURY—In the present state of the case and the jury, aithough it would afford me pieasure to comply with your request to discharge you, yet I do not feel that I can do so at this time consistently with public justice.

The jury were then brought into the court room and locked up, Judge Capron informing them that he would visit them at 9 o'clock in the evening, and if at that time they had not agreed upon a verdict, lock them up till morning.

10½ o'Clock P. M.

The Judge came to the court room at 10 o'clock,

The Judge came to the court room at 10 o'Clock P. M. and ascertaining that the jury had not agreed upon a verdict, ordered them to be locked up till 9 o'clock this morning, when he promised to meet them again. At this hour it was understood the jury stood six for conviction and tix for acquittal.

Personal Intelligence. Hen. R. Toombs, United States Senator from Geor

gia, was among the arrivals yesterday at the Metropoli-

Hon. A. G. Jewett, Geo.

From Char eston, in steamship Nashville—G B Brown, L. Christy, Mrs F Levy and chile two Masters slake, J Kurfman, K Boyce, lady and servant, G P Hoone, Mrs Hall, P Wennuson Mrs Childs three children and servant, K Heed. J Robinson H Crozler, J W Caldwell, B A Pringle J Jacobs A Carter, C D files, Mrs J T Grice, T Heary, M L Graves, M S Eggart, Miss Stiles, Miss Scott—S in steerage.

Silies, Miss Scott—Sin steerage

DEPARTURES.

For Fremen and South impion, in steamship HermannMrs M P Brown and child. A Schwarz, H C Bolif, Mr Gosling
C & Schmieder, A K Peysor, Geo Inomas, Mr Fieburer, H
Sendem. Jr. De St Berng, Alfred Journe, L Buot, Mrs Jant
zen Schlosser and infant. Mrs Caro ine Dretrichs, A Berkley
D Selson Mr Lurr, Mrs L Indoay, New York: T Dwight
New Haven; Mr Strong California; Se Wolff, Dover; See
Rosenberg, Cincipnait; L Raegenstein, Phiadelphia; Wa

Delson Mr. Lutr, Mrs. L. Lindsay, New York: T. Dwight, New Haven; Mr. Strong California; Se Wolff, Dover; tieo-Rosenberg, Cincinnati; L. Raegenstein, Phinadelphis; Wm. Stock, Gincinnati; G. Stein, St. Frau's, Miss; C. Skonberg, M. Baunistark, John Conrad, San Francisco; De d'uffeiand, dremen; M. Salomon, Germany; Mr. Ables Vallet, Julius Vaugm, Honduras.

Fer Savannah, in the steamship Alabama—John Eppstein, A. McW. Borrer, Wm. Nosch, Robt B. Donno Iv, M. Hopper, John B. Gregory, E. Davis, G. Penason, T. Dunlap & Lady Miss. Dunlap and swier, B. S. Hulford, Mrs. Lent. Miss. M. Lent. Miss. M. Lent. Miss. M. Lent. Miss. M. Sent. Miss. M. Sent. Miss. M. Sent. Miss. M. S. M. Sent. Miss. M. S. M. Sent. Miss. M. S. W. W. S. M. S. M. S. M. S. W. W. S. M. S. M.

sterage.

For Charleston in the steamship James Adger—Packer, J F Ubhers, R Gilchrist, V C Ring, J I Ring, Wm Treat, Mrs J E Hart, J W Wilers & ledy, Are Cong, Alex Ellas, wife & 2children Vm B Aurain, G Grebon P Genken, S Ferez A Garzia, Mise Dwight, a Simons N Cashman, S M Cain, W Giffney Jre Denay, Wm. T commy, C B Davis, Miss Taylor, L Pomroy—and 22 in the steerage.

To The ASSESSORS OF THE CITY AND COUNTY OF NEW YORK.

At a meeting of the Board of Assessors held January 15, 1858, the fellowing revolution was adopted:—
Resolved, That the assessors of the several wards be, and are hereby directed to increase the personal sseessments in all cases where they have reason to be here that the *sme is desl'able, and in no case shall reductions be made unless satisfactory evidence be presented under sflictavit.

HENRY P. WEST, President.

Superior Court, General Term.

Before a Full Bench.

Jan. 26.—Decisions.—John Kuhlman vs. John Orser,

sherif.—Juogment for plaintiff on verdict. with costs.

Jone. Alack vs. A. Githerton and Others.—Judgment

vertoling demurrer affirmed with costs.

Fredrick Berley vs. Adolph Bompacker.—Judgment re
rered, and Juogment for plaintiff, with costs, according

to the prayer of the complaint.

NEWS FROM WASHINGTON.

Important Action of the House on the Slavery Question.

Prospect of an Organization Early Mext Week.

INTERESTING CORRESPONDENCE,

OUR SPECIAL DESPATCHES. SERSE OF THE HOUSE ON THE MISSIDIST BESTRIC-TION—A SPEEDY ORGANIZATION PREDICTED—MAIL CONTRACTS FOR THE MIDDLE STATES.

WASHINGTON, Jan 26, 1856. WASHINGTON, Jan 26, 1856.
The object of Mr. Dunn's resolution, presented yesterday, and offered again to-day, was to test the sense of the House as to whether there was a majority of mem ters in favor of electing a Speaker who favored the restorstich of the Mi-souri restriction. It is clea-ly eviden

that there is not a majority in favor of restoration. I assert positively that the plurality rule will be adopted on Mancay or Tuesday at the farthest. It will be offered either by Mr. Clisgman or Mr. Herbert, and there are enough democrats who have decided to go for it to carry it without any trouble. It is extremely doubtful who will succeed by its operation.

Advertisements of the Post Offic Deepartment, inviting

proposals for carrying the mails in the Middle States, will be given out the first of next month. The cost of the advertisement in one paper in this city is seven thousand five hundred dollars—in the three, twenty two thousand five hundred.

THE SLAVERY QUESTION IN THE HOUSE—HORACE GREELEY IN HOT WATER.

WASHINGTON, Jan. 26, 1856. Resolutions testing the relative strength of the Nebrasks and anti-Nebraska parties monopolized the time of the House to day. Mr. Mescham's resolution pronouncing the repeal of the Missouri restriction "a faricus aguation of the slavery question," was regarded as the test, and passed by a vote of 108 to 93. There was much squirming on all sides of the hall. The

election of Speaker was entirely lost sight of. A letter condemning Horace Gree.ey was being signed by many Banks men to-day. One member proposed his expuision from the hall. Cause-Attack in yesterday's Tribune on Mr. Brenton, of Indiana, and bad conduct

THIRTY-FOURTH CONGRESS.

HOUSE OF REPRESENTATIVES. WASHINGTON, Jan. 26, 1856.

THE SLAERY QUESTION. Mr. Duny, (black rep.) of Ind., offered the following

resolution:—
Resolved That regarding the political complexion of the present flouse of Representatives as indicating the undoubted sentiment of a large majority of the people of the United States against the act of the last Congress repealing ins restriction against slavery in the Territories of Asbasa and Nebraska, imposed by the compromise of 1830, no man ought to be chosen speaker of this body who does not fully sud heart up harmonize with that sentiment, or who will he state to exert claused examents for the restoration of that restriction in terms or in substance.

Resolved. That sale restriction ought to be restored, as an ac of justice to all the people of the United states, as a proper vindication of the wisdom, fattro ism and plighted honor of the great states near who imposed it, and as a tecessary and certain means of reviving that concord and harmony among the States of the American Union which are essent all to be welfare of our people and the perpetuity of our institutions.

kesoived. That as useless and factious agitation of the slavery question into out of Congress, is unwise, unjust to a portion of the American people, and to some extent injurious of every section of our country, it herefore should not be contenanced; but until the Missouri restriction of 1820 shall have been restored, in fact or in substance, to the said ferritoric of Kansas and Nebraska, fully and completair, to that then fait for that purpose it is our solemn duty to the past the present and the inture steadily and irm; y to persist in our efforts.

The first resolution was rejected by one majority. The

fellowing is the vote: —
YEAS—Messers, Albright, Allison, Ball, Bauks, Barbone,
Henry Bennett, Benson, Ballinghurst, Bingham, Bishop, Bliss,
Bise-haw, Brenton, Buffinton, Burlingame Campbel of Ohio,
Indice Clawvon, Cellar, Comins I ovode, Organ, Cumouck,
Lanrell, Hunothy Dairs, Day, Deso, De Witt, Diez, Dickson,
Joed, Dunn, Durlee, Role Emrie, Giddings, Gilbert Graaser Grow, Rocert B. Hall Inarian, Harrison, Hollowsy, Thomas R. Forton, Valactitus B. Horton, Howard, Kelsey, King,
Enasp, Knicht, Knowlton, Knox, Kunkel, Lester, Macca,
Morriff, Most, Murray, Nichos, Norton, And ew Oriver, Parker, Felton, Fennington, Perry, Pett, Pike, Pringle, Purviance, Miche, Robbes, Roberts, Sabin, Sapp, Scott, Sherman,
anec, Miche, Robbes, Roberts, Sabin, Sapp, Scott, Sherman,

Thu 160. 100d, Wace, Wareinas, Washinge, Washinge, Washinge, et al. Washinge, Washinge, et al. Marie, Carabers, Carlie, Carabers, Cox, Cullen, Davidson, Dowdell, Edmundeon Elliot, English Etherldge, Fustis, Evans, Faulkner, Foster Henry M. Fulber, Thomas J. D. Fuller, Goode, Greenwood, Augustus Hall, J. Morrison Barris, Sambson W. Harris, Thomas M. Barris, Haven, Herbert, Holfman, Houseon, Jewel, Geo. W. Joass J. Glaner Jones, Kelly, Kennett, Kidweit, Lake, Letcher Lindley Lumpkin, Hunphree Marshall, Samuel & Marshall Marwell. McMulen, McQueen, Smith, Miller, Million, Mill Ward, Mordecai, Oliver, Orr. Packer, Paine, Pesk, Phelps Forter, Powell, Puryear, Quilman, Reade, Ready, Ricaud Stehardson, Ruffin, A. Rust, Sandidge, Savage, Samuel & Smith, Wm. Emith, Wm. & Smith Sneed, Sevens, Newart Sarter, Waltier, Walkins, Welle, Wheeler, Whitney, Williams, Winslow, Daolel B. Wright, John B. Wright, and Zolitcofer—To tal RG.

The second resolution was adopted by one majority

The following is the vote:—

The following is the vote:—

Yess-Messra Albright, Allison Ball, Banks, Barbour, Betry Bennett, Bennoa, Ballinghurst, Birgham Balbo, Bradhaw, Brennon Bufflion, Burlingame, Campbell of Ohio, Chaffee, Clawasot, Colfax, Cmins, Covede, Crogin, Cumback, Dadelburst, Birgham Balbo, Bradhaw, Brennon Bufflion, Burlingame, Campbell of Ohio, Chaffee, Clawasot, Colfax, Cmins, Covede, Crogin, Cumback, Dadelburst, Burling and Durise, Ede, Emrie Giddings, Gilbert, Granger, Grow Robert B. Hall, Haran Harrison, Holloway, Thomas K. Horton, Eaven, Vasentine B. Horton, Howard, Kesey, King Krapp, Knight, Enowloo, Knox Kunkel, Laster, Mace, Malecoo Mc W. 19. Meacham, Killian Miller, Millward, Moore Morgan, Mortill Mott, Murray, Nichols, Norton, andrew Oil ver, Parker, Pellon, Pennis goo, Perry, Petit, Pike, Pringle Purviance, Ritchie Roberta Sabim, Sapp, Scott, Sherman Simon Spinner, Stanton, Strananan, Tapana, Iborington Iturs'on Todd, Wakeman Walaridge, Waldren, Washourn of Wisconsin Was burre of Ill bois, WashburnofMane, Welch Wood, Woodvurft, Wheeler, and Woodworth—Fotat, 101.

Navi-Messes, Alken, Aller, Barciay, Barksdale, Ball Berdey S. Bennett, Boock, Bowle, Bovce, Branch, Broome Burnett, Cadwallader, John P. Campbell, Carille Carithere askee, Clingman, Howell cobb, Williamson R. W. Oob Cox, Cullen, Davis, Davidson, Dowdell, Edmundson, Ellott Figlish, Kheridge, Eustis, Evans, Faulkner, Foster, Henry, M. Fuller, Thomas J. D. Fuller, Goode, Greenwood, Augustu Sell, J. Morrison Farris, Sampon W. Harris, Shomas M. Harris, Herbert Hoffman, Souston, Jewett, Geo. W. Jones M. Glancy Jones, Kelly, Kennett, Kid well, Lake, Jetchar Lindey, Lumpkin, Humphrey Marshall, Samuel S. Marshall Maxwell, McMullen, McQueen, Smith, Miler, Milson, Morderal, Oliver, Orr, Picker, Pane, Peck, Pheips Porter Owel, Puryear Quitman Reade, Ready, Ricand, Riebardon, Juffin, A. Rust, Sandidge, Savage, Samuel A. Smith Mr. Smith Miler, Milson, Milans, Winslow, Daniel B. Wright Johlo Humbhom, Milliams, Winslow, Daniel B. Wright Johlo

The third resolution was rejected by three majority.

Mr. FULLER offered a resolution, declaring any agitation of the slavery question newise and unjust to a cortion of the American people, injurious to every sec-

hat in the opinion of the House the repeal of the Misouri compromise was an example for useless and facious agi ation of the slavery question, and that it was unwise and unjust to the American people. Adopted by 108 against 93,

OUR WASHINGTON CORRESPONDENCE. Another Proclamation from Kansas.

The following proclamation was received to-day in a letter, printed in large letters, in form of a handbill, by a gentleman lately from Kansas. The indications are, that there is trouble in prospective. What the effect of this move will be has not as yet been ascertained. The message of the Presidentalthough in itself of no importance, except as another bid for the Presidency—has not had the effect which they supposed it would have, that is, to bring the House to an organization. But, to the pronunciamento of the Mayor and authorities of Leavenworth City, in Kansas Territory:-

PROCLAMATION.

Whereas, information has been received by me that certain persons will assemble in this city on Teesday, January 16, A. D. 1856. It is the surpose of holding an election, to elect officers for a state government, And whereas, if such an election should be holden it would, it may j degment, produce great publical excitament, discusses and schemes in this community—jerpardung the lives, properly and interests of the citizens of this city.

denig the lives, properly and interests of the citizens of this city.

Now, therefore, I. John H Day, President of the Board of Councilmen, of the city of Leavenworth, and or office Mayor of said city, do, or virtue of the authority vested in me by the charter of said city as conservator of the peace. hereby occlare and proclaim that no poll-for an election shall be opened within the corporate limits of said city upon said 15th day of January, A O. 1856, for the causes above enomerated. And I do hereby cross and empower the City Marshal to enorce this pro-clamation by summoning a special police force, if no-cessary.

Camathin by summoning a special police force, it necessary.

Given under my hand and the seal of said city, at the Mayor's office in Leaven-worth City, this 12th day of January, A. D. 1856. J. H. DAY, Pres. of the Council Attest, Scott J. Antionx, Register.

We, the undersigned, Cunctinen of the city of Leavenworth, have requested that the above proclamation be issued, and do nereby approve the same.

Fred. I mory.

M. I. Tristalia, Thomas H. Doyle,
G. J. Park,
Alam Fisher.

Leavenworth City, K. T., Jan. 14, 1856.

WASHINGTON, Jan. 25, 1856. Is There any Prospect of an Organization?-Symp toms in the House-Cushman's Removal-Secre tary Davis's Reception, &c.

The common question inside, as well as outside the halls of Congress is—"Is there any prospect of an organization?" It is frequently put by one member to another, and the most unpretending is hardly willing to admit that out of upwards of two hundred wise men there is not wisdom enough to propose a successful plan for an organization, or not patriotism enough to execute one. Yet, the conclusion is forced upon the mind that our national Legislature is deficient either in wisdom or patriotism, else why this protracted disorganization among men who all profess devotion to the constitution of our commo country? I was pleased to hear Mr. Pennington declare this evening that he would cheerfully co-ope rate in any plan which would effect an election of a Speaker. Are there any more like Mr. Pennington? Don't all speak at once, gentlemen. If you can lose sight of party ties and trickery, and go for your country but one day, this disgraceful contest will be brought to an end. Honor say I to Mr. Pennington.
Mr. Cushman, a plain, ignorant Yankee farmer
from down East, was very improperly appointed on
the joint Fishery Commission with Mr. Perley, her
Majesty's agent, and he has since been removed.
Being invited to an entertainment at the British officials, Mr. Cushman, after consulting his domestics
as to his wardrobe, concluded the suit he was wearing would be in good taste, as he had worn the cout
only three years. It would be superfluous to say all
parties were disgusted.

only three years. It would be superfluous to say all parties were disgusted.

The Halifax papers speak in a very complimentary manner of R. W. Frazer, Esq., the late incumbent of the Consulate there. Pillsbury, of Maine, has received his exequator from her Maje ty. Frazer was a good officer, and, it is said, was removed without cause.

The reception, last evening, at the residence of The reception, last evening, at the residence of Secretary Davis, was the largest and most brilliant of the season. Many high officials of the government were present, including several members of the Supreme Court and members of both nouses of Congress. Mr. Guthrie, Secretary of the Treasury, was the only member of the Cabinet I noticed in attendance. It is said that near a thousand persons were in attendance.

WASHINGTON, Jan. 25, 1858. Mr. Buchanan's Chances at the Cincinnata Con. vention-Failure of General Pierce's War Tie tics-Southern Views as to the Presidential Can-

didates -- George Law and the American Party. The unexpected support which at this early period Mr. Buchanan is receiving from the democratic press throughout the country would seem to indicate his nomination by the Cincinnati Conven. tion for the Presidency. This demonstration, however, should not be taken for more than it is in reality worth, for there are those now lending a support to this movement who are calculating largely upon the amount of capital that his defeat will enable them to appropriate in another quarter. It would seem strange was the riddle not capable of solution, to hear among many of the sion of preference for Mr. Buchanan, when they have among themselves talent of the highest order, and men capable of filling with success and honor the Presidential chair. The movements of Southern politicians in this city too plainly state the secrets of their organization, and leave but little to conjecture. In their public meetings they endorse Pierce and speak favorably of other Northern aspirants, while their private conversation is characterised by a spirit of opposition, and that, too, not of the mildest nature, against the North having a successor to General Pierce. Mr. Wise, it is understood, has declined in favor of Mr. Bu-chanan, while at the same time his friends in this city are using his name as the can-didate of the South. Mr. Hunter, it would seem, this city are using his name as the candidate of the South. Mr. Hunter, it would seem, does not regard himself as in the way for the successorship, and, therefore Henry A. Wise, must, for the present, be considered as the champion on which the South will eventually unite their forces. In this confused mass of electioneering, the hope exists, that from the apparent willingness of the South to give the North a candidate, a ready return of the compliment will be made by the Convention, when the friends of Buchanan will express a readiness to support. Wise, and thus give him a nomination. It is the opinion of many prominent politicians in this city that no Northern man can be elected, and evidently this opinion is entertained in the South, and hence the safety of the movement now making in that quarter in favor of Buchanan.

General Pierce has counted largely on his war capital, but this has turned out to be something of a failure, and has not been benefitted by the rough handling which the subject has recently received

General Pierce has connected largely on his war capital, but this has turned out to be something of a failure, and has not been benefitted by the rough handling which the subject has recently received from Mr. Wise. But with all these displays and nice calculations for the nomination, there still exists the apprehension that the democratic party will be deented in the Presidential contest. This apprehension is based upon a sound reasoning that the party can't be united. In fact, the division already existing, it is but reasonable to suppose, will be strengthened, and the difficulties increased after the organization of Congress. May not this state of things have influenced the decision of Douglas, Cass and others in withdrawing their names from the list of candidates, and their preferring to want the chances of another four years socher than to encounter now an almost certain deteat? I do not give my own views in this matter, but present opinion would seem to indicate the defeat of abolitions and democrats, and the triumph of the American party. With George Law as its lender, the success of that party would prive a triumph greater than any obtained since the days of Jackson; but it must select him and him along as triumph greater than any obtained since the days of Jackson; but it must select him and him alone for its standard-bearer, as certain defeat will follow the nomination of any of the old party hacks who are now pressing their claims for the Presidency.

TO THE EDITOR OF THE HERALD.

New York, Jan. 26, 1856. In the Hexald of this morning, the second toast given by the subscriber at the Burns Festival, held at the Pacific Hotel, is so very erroneously stated it would oblige him extremely if you would correct the same, so that it

if the language of a loast is incorrectly printed it is worse than if I remained unnoticed. I claim no meet for the toast, but if printed I would prefer to have it correct.

JAS. G. McADAM.

AFFAIRS IN EUROPE.

Our London, Paris, Madrid and Vienna Correspondence.

Speech of the Earl of Elgin on Europe and America.

OPERATIONS IN THE BALTIC.

do., do.

Our London Correspondence.

LONDON, Jan. 11, 1856. Opinion in Diplomatic Circles in London in Favor of the Probabilities of Peace—The Feeling of the English People Strongly in Favor of Another Campaign-A Peace of Present only a Hollow Truce-A War of Principles Certain to Fidow-Financial Condition of England-Mr. Buchanan and the London Times-Theatrical and Musi-

cal Gossip, &c.

The opinion of the diplomatic corps in London in

that peace is not far off. This conclusion is based upon the conviction f have already expressed, that it is clearly the interest of nearly all the parties concerned to put an stated that it is the earnest desire of the Empere of the French to get out of the war; and not stancing all the warlike sentiments put in his mouth by the English journals, he still entertains the same view and the same purpose. It is always possible that he may be dragged into another cam-paign by the force of circumstances, for Russia may be obstirate, and procrastinate till the chance of arrangement has gone by, but Louis Napoleon will make strenuous efforts to prevent this It may seem strange that the popular feeling of England is against peace at present. Another campaign, to retrieve the dissaters and loss of prestige of the two previous years, is the general wish of the people of this country. So nearty and unanimous is it is sentiment, that even the trading classes would cheerfully submit to double taxation for another year, in order to wipeout the discredit of the failure of the English attack on the Redan, to say nothing of the in-giorious expeditions to the Baltic. It ought to be borne in mind, though, that England, instead of suffering by the war thus far, has in reality gained, by the opening of new narkets in the East that another year's hosplittes will enable har still fur her to explore and more surely to rewhose intrigues and arms may one day shake her supremacy is India, and she is therefore all the more de irous to go on with the war, till her formidable foe is seriously crippled in her resources and exhausted to such an extent as to make her aggressions less likely in the future. The public mind of this country is, there fore, in great perpiexity at the present writing. They suspect that the French Emperor is inclined to peace, nd they know if he refuses to go on, they must abanden their place, and come to terms of compromise. They are also aware that both their own court and aristocasey are averse to the war, from apprehensions that it will only aid the democracy. You may suppose, then, that it peace is forced upon the country, a violent internal agriation must ensue, that will lead to God knows what. Lord Palmereton is the embodiment of the war policy; and if he find it impossible to pre-

the war policy; and if he find it impossible to prevent or upset peace negotiations, he will give the signal of excitement by throwing up his office and retusing to consent to an inglorious peace. He will thus enhance his personal popularity, and increase his power in parliaments is held to asmoy and perpiech his rivals and opponents. I will venture to predict that if a peace in astched up at last, it will be little more than a hollow truce, for in the actual condition of Europe, a war of principles must sooner or ister come, unless such timely concessions to popular demands are made as to prevent it, an hypothesis not highly probable.

This mail will bring you out the propositions made to Russia by the allies, and it is generally understood that they will not be accepted in their integral state, but will be met by counter propositions from Russia. If these should be of a nature as to evince a desire to come to terms, a depicuality convention must then assemble to denate the differences and arrange the final settlement. The answer of Russia is daily looked for, and with no swall curti-ify you may judge. Notwiths anding the proposition if you may judge. Notwiths anding the proposition if you may judge Notwiths anding the proposition in a quite tight cough as it is. However, trade is brick enough, and credit never reposed on a sounder basis.

The report, upded by the Histand from a London paper, of a speech mane by it, such asson our finisher, a year age, taxorable to the ailea, it is lisable to a serious objection, for it happens to be totally untrue. The occasion alluded to was the neeting of a private clust of gentiemen, where Mr. Buccanau was a guest; and as it is a missible, it follows togically he could not have

inc. for it happens to be torially intrue. The occasion alluded to was the meeting of a private club of gentamen, where Mr. Bachanan was a quest; and as it is a rule of the fratenity that no specimaning is a missible, it follows logically he could not have outered the seotiments in question, or any other Besides. Mr. Buchanan, without being timid, it is very precent men, and curing his short career it England he macare ully abstained from any acis or words that could mislead people here or expose him to criticism any where the usual efforts made in this country to win over the American Minister to a somewhat the favorable outsideration of English views and schemes may not have been very successful in the case of Mr. Buchanan, and this may account for the attacks of the Times newspaper. By the type, the Times has replied with its usual ability to the elaborate article of the Washington Union. The Times ratcle is written with a good deal of sparkle and is not deficient in point, but it wanders into the saderror of making an unnecessary attack upon England, which it singularly copies from the mouth of a French statesman nearly two centuries back. What Sully said the English people were in his day may be trus, but it would be strange if they had not altered or improved in all the time intervening. These indicationinate attacks upon nations, however, are to say the least, about The Times, in its rejoinder, makes as great a missake in a sweeping charge sgriast the woole of the American press, which might have reflected with greater weight on those journals that had provoked its wratin, if it had made a proper distinction in favor of he rest. The theatres were never overter security lane and the well known Professor Anderson, who has wandered over the confines of magic into the raims of pastomine. Provy Lane has orodued a lively rquib tidiculing his pulls and pretensions and the asture magicals intends converting the attack into a new advertisence, for he announces a "till for tab" that will furn the laugh sgainst his

PARIS, Jan. 10, 1856

Arrival of Five more Batalions of the Imperial Guard-Their Reception by the Emperor—The Theatrical Research of Military Glory—The Prace Negotiations—Feeling in Ball at the Tuileries, de.
On the occasion of the grand entry of the Imperial

Guard, of which the scanty measure of time afforded me only permitted, I gave you an imperfect description. The ceremony was rendered incomplete by the non-arrival of five bartalions. Since the 29th—the date on which their comrades received such an enthusiastic welcome from the inhabitants—these five battalions have arrived, and yesterday made their entry into Paris in due form. The sympathies of the populace were not a whit less vividly manifested than on the former occasion. Now, as then, the scene was no mere minic representation, but a great fact in the story of our century. Maimed, toll worn, and bending under the laurels of victory, these were the iving heritors of troops whose gigantic deeds of valor had been the theme of their father's sulegy, and hough the Emperor was not at their bead, and Gen. Neil, his aid-is-camp, and their commander at Sebastopoi, es-corted them through the broad causeway of the Boule-vards towards the court of the Fullecies, where his Ma. jesty and a brilliant staff waited to receive them, their reception was not less graphic, touching and universal ban that which followed the more imposing entry of the 29th. The day was not so fine nor the streets so clean, ith banners, the windows were full of gentle dan the rough blouses on the pave marched by the side of the gallant fellows, and to the sound of beating drums they proudly moved towards the spot where from insprial lips they were to receive the wescome so de